

REMARKS/ARGUMENTS

Remarks

Applicants noticed that the claim dependencies recited in claims 72, 73, 74, and 75 were incorrect. Applicants also noticed that claim 77 recites "claims 71" rather than "claim 71". Appropriate amendments have been made.

Claim Objections

The Examiner has objected to claims 44, 47, 48, 51, and 52 for various informalities. Applicants have amended claims 44, 47, and 48 and cancelled claims 51 and 52, thus overcoming the objections.

Claim Rejections

The rejection under 35 USC §112, first paragraph

The Examiner has rejected claims 58 and 76 under 35 USC §112, first paragraph as failing to comply with the written description requirement. Applicants have amended claims 58 and 76, thus overcoming the rejection. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims under 35 USC §112, first paragraph.

The rejection under 35 USC §112, second paragraph

The Examiner has rejected claims 42-48, 51, 52, and 55-70 under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have cancelled claims 51 and 52, thus obviating the rejection as it relates to these claims. Applicants have amended claim 42 as suggested by the Examiner, thus overcoming the rejection as it relates to claim 42 and associated dependent claims 43-48 and 55-70. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims under 35 USC §112, second paragraph.

The rejection under 35 USC §102(b)

The Examiner has rejected claims 42-44, 51, 52, 59-61, 63-67, and 70 under 35 USC §102(b) as being anticipated by Pack, et al., WO 96/37621. Applicants have cancelled claims 51 and 52, thus obviating the rejection with respect to these claims. In addition, because Pack, et al. does not teach the use of any immunoglobulin-derived domains as multimerizing components, amendment of claim 42 to specifically recite the limitation that the multimerizing component is an immunoglobulin-derived domain is believed to obviate the rejection under 35 USC §102 with respect to claims 42-44, 59-61, 63-67, and 70.

The rejection under 35 USC §103(a)

The Examiner has rejected claims 45-50, 55-58, 62, 68-69, and 71-88 under 35 USC §103(a) as being unpatentable over Pack, et al., WO 96/37621, and in further view of Davis, et al., U.S. Patent No. 6,265,564 and Desnick, et al., U.S. Patent No. 5,580,757. Applicants have cancelled claims 55-58 and 75, thus obviating the rejection with respect to these claims. Applicants respectfully disagree with the rejection of remaining claims 45-50, 62, 68-69, 71-74 and 76-88 for the reasons set forth below.

As shown in the Listing of the Claims beginning on page 2 of this paper, Applicants have amended independent claims 42 and 71 to recite, "wherein the multimerizing component is an immunoglobulin-derived domain." Pack, et al. do not teach the use of immunoglobulin-derived multimerizing components. In fact, Pack, et al. teach against the use of immunoglobulin-derived multimerizing domains (see page 6, second paragraph through page 8, first paragraph). Davis, et al. teach fusion proteins that contain only one receptor binding domain of a ligand fused to an Fc domain. One skilled in the art would not be motivated to combine the references because Pack, et al. teaches away from using immunoglobulin-derived multimerizing domains. Desnick, et al. simply teaches standard host/expression systems and does not cure the defect in Pack, et al. or Davis, et al. Thus none of the references, either alone or in combination, render the invention *prima facie* obvious. Therefore, Applicants respectfully request

reconsideration and withdrawal of the rejection of claims 45-50, 62, 68-69, 71-74 and 76-88 under 35 USC §103(a).

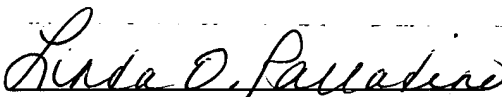
Conclusion

In light of the above amendments and arguments, Applicants contend that all claims are now in condition for allowance, and respectfully request such action.

Fees

No fee is deemed necessary in connection with filing this Amendment. However, if any fee is necessary, authorization is hereby given to charge the amount of any such additional fee to Deposit Account No. 18-0650.

Respectfully submitted



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